

ving refused to give bail on Wednesday. Judge Calver signed a warrant to commit them to the County Jail in default. Counsel stated that they had no right to give bail on the express condition that they would immediately return to the defendant. The court said that they could immediately return to the defendant, and have the legal right to give bail. Judge Moore wrote on behalf of the prosecution, and said, "It was, however, Judge Moore's opinion that the defendant should be given bail, but he would not give it to his house by sickness, and there were no other Judge in the city before whom he could give the required bail." Therefore they chose to give the required bail. The court remanded them to the prison to prepare themselves. Judge Moore's desire was to afford them every opportunity, as far as possible, to have their defense heard. He said, "I hope he would be governed strictly by the law, and that the court would therefore allow the defendants until Wednesday, when he would expect them to come prepared with the required bail. Counsel expressed their willingness to test the question of legality on the new case that would be referred to him."

**THE ALLEGED KISSING CASE.**

To the Editor of The N. Y. Tribune:

SIR: It is stated in Friday's TRIBUNE that I was fined \$10 for attempting to kiss a lady in Brooklyn. The mistake arose from the complainant, Mrs. Josephine A. Wright, saying that when I approached her she thought I intended doing so. She was passing with a brother by her side, her husband and father some six or eight feet in advance. I passed her and thinking her husband was near, I stopped to speak to him. She was at the time in the audience, but I did not notice her husband. Most of them still bring, as she says,

HAMMERS—At Westfield, Monroe County, N. Y., on Tuesday, May 19, after a short illness, died W. A. H. Hamm, a native of New-Hampshire, Herkimer County, Mass., whence he removed to Madison County in this State previous to 1797, and settled in the western part of Westfield (then Caledonia) about the year 1812. All his children are now in an advanced age, and most of them are in his immediate neighborhood. Most of them still bring, as she says,

MASON—On Monday, May 21, of infarction of the brain, THOMAS ADDISON, the remains two sons of Thomas and Eliza (Addison) and wife, died on Friday, May 19, at 11 o'clock at a stroke, from No. 209 West 52d-st. The friends of the family are cordially invited. Interment in Cypress Hill.

TOURISTS—Come to join his infant brother in Heaven.

REUBEN COOPER—On Saturday, May 20, after a short illness, REUBEN COOPER, son of the late Reuben Cooper, & Co., relatives and friends and crew of his brothers John H. and Henry W. Hicks, are respectfully invited to attend his funeral at the church, No. 10 West 3d-st, at 11 o'clock on tuesday (Wednesday) morning, without further invitation.

SHILLER—At Brooklyn, on Sunday, May 20, GEORGE SHILLER, son of Dr. J. M. Shiller, died at 12 o'clock.

WILLIAM—On Monday, May 21, MARY BENNETT, infant daughter of Henry P. and Mary West, aged 3 months and 9 days.

Friends and relatives of the family are respectfully invited to attend his funeral this afternoon at 2 p.m. The remains will be taken to Greenwood.

WRIGHT—On Thursday, May 19, SUSAN WRIGHT, at No. 12 Carrollton, aged of years. The remains were interred in the Cemetery of the Evergreens.

## COMMERCIAL MATTERS.

### NEW-JERSEY ITEMS.

**HOBOKEN COUNCIL.**—A meeting of the Council of Hoboken was held at the City Hall last evening. Mr. Carpenter in the Chair. All of the members were present. Several petitions were offered and referred. All old. While reported several pails of water on vacant lots as useless, and the Council voted to appropriate up the same at the expense of the owners. An Ordinance defining the duties of the Corporation Counsel was adopted by the Committee on Laws and Ordinances, and carried up the table for future action. Mr. Carpenter, in his report, recommended that the Corporation Counsel appoint City Officers if he should be absent in Secret Session. Inasmuch as the Superintendent of Schools will hold in his hands public money, it was determined that he be required to give bonds in the sum of \$2,000. After some further discussion the Council adjourned to meet on Wednesday evening.

**SUCCESSION.**—On Sunday evening a man named RICHARD T. TAYLOR, at about 45 years of age, residing at Bergen Four Corners, in the City of Hudson, N. J., committed suicide by cutting his throat with a razor which was in a fit of delirious tremors.

**APPOINTMENT.**—The Rev. Charles Whiteaker has been appointed to the pastorate of Trinity Methodist Episcopal Church in York, Jersey City, for the ensuing year—which appointment was left open at the last session of the Conference.

## LAW INTELLIGENCE.

### SUPREME COURT—SPECIAL TERM—MAY 21—Before Judge ROOSEVELT.

CHIEF ATTORNEY TO CALIFORNIA DRAFTS.

James Finch agt. Alvin Adams, Daniel H. Haskell and Josiah C. Woods.

Plaintiff commenced his cause by an attachment on \$2000 alleged to belong to the California house of Adam & Co. in the hands of Adams & Co. in this City, and subsequently obtained judgment for \$20,182.12 being for drafts drawn by the California house on the house here. A complementary order was entered for \$20,000, and the plaintiff obtained judgment for \$20,000, and it is understood that Mr. Alvin Adams, who is in New-York, is partner of both houses, the above forming the house in California, and Messrs. Adams, Dinsmore, Shoemaker & Son, and the firm of R. & J. Dinsmore, are partners of the San Fran- cisco house. It is also understood that the plaintiff is desirous to vacate the judgment and let in defendants to answer. It is desired that Mr. Adams is a partner in the California house, the partnership having been dissolved in May, 1853. In reply it was said, "Mr. Adams is much more desirous to receive \$20,000 as his capital, and was to receive and has received \$20,000 per annum in monthly drafts of \$200 as his share of profits. The cause stands postponed for the production of an affidavit in the case. For motion, Mr. Evans; opposed, Messrs. Clark & Rapkin.

**SUPERIOR COURT—MAY 21—Before Judge OAKLEY.**

DENIAL OF ALLEGED PARTNERSHIP.

James Gilchrist agt. Isaac and David Sollinger. To recover for 75 hours of time sold to defendant, as soon as possible, in 1854. In suit, the partnership and joint liability of defendants is denied, and plaintiff is granted sum paid and found plaintiff in amount, below \$2,773.30. Plaintiff, Messrs. Mood & Tait; for defendants, Mr. Finney.

SUIT FOR INJURY AT WATER.

Teller, Hutchins & Lassell agt. Davis, Byrne, Johnson & Hance. Plaintiff says he can not sue for damages, as he is not liable by virtue of his limited service of defendant in the first story and basement of house No. 91 Liberty st. on a lease for three years, at \$3,000 per year, the said store to be erected and fitted up in a similar manner to that of Mr. Amos E. Farn. The suit was filed, and was set for trial, and the plaintiff, in the course of events, otherwise, by which the water on the roof, in rainy weather, was driven back to the skylight and fell upon that portion of the premises so hosed and in possession of plaintiff, causing injury to the property. The present suit is to recover for damages.

In defense the liability of Messrs. D. B. & Co. is denied. To be continued. For plaintiff, Messrs. Clark & Reid; for defendant, Mr. W. S. Hutchins.

**VESELLE CHECKED IN LAUNCHING.**

William and Sons, The Astor Mutual Insurance Co. The company insured \$5,000 on ship Recorder, at the time on the stocks st. John, N. B., on a voyage from St. John to Liverpool, the valuation of the vessel being \$50,000. She was safely launched and both anchors let go and chain paid out, but owing to the force of wind, she struck the rocks, and the other end was driven ashore, the Falls, where she subsequently became a wreck. The present action is on the policy.

It is also said that the vessel had never been sea-worthy or prepared for the voyage—it is also denied that plaintiffs had such an interest as enabled them to sue, the insurance having been made by Joseph Stitt & Co.; denied that proof had been given of the value of the vessel, as the value of the vessel was not over \$40,000, &c. for plaintiff, Messrs. Clark & Reid; and for defendant, Messrs. Noyes and Talmaige.

**UNITED STATES CIRCUIT COURT—MAY 21.**

CASE OF VICTOR FRANCISCO.

The prisoner had been convicted of manslaughter, in causing the death of the mate of a brig in which he was a seaman. Mr. Blodget, his attorney, had affidavits in mitigation of punishment. Sentence deferred.

DECISION ON APPEAL.

The ship Phoenix ad. Joseph W. Hancock.

By reason of steamboat Hero to recover damages for injury arising from falling down and smashing the wheelhouse, &c., caused by the top of the smoke pipe striking against the deck, and causing the fall of the steamer, on the 25th ult., and the subsequent loss of the vessel, the court remanded the case, with costs, to August, 1856. The yard of the vessel was left un-squared, which it was contended it should not have been while the vessel was at the wharf.

The Court considered, however, that there was also negligence in the steamboat not having fast forward so as to control her. The District Court on the above account considered that blame attached to both vessels, and that the loss should be divided between them. Judgment affirmed.

**COURT OF COMMON PLAYS—MAY 21—Before Judge DALY.**

CASE OF MR. MCKELLAR AND OTHERS.

Owing to an engagement of Mr. Noyes in the Superior Court, (an insurance case,) the further argument in the cause was postponed to Tuesday.

**N. Y. ED. STATES DISTRICT COURT—MAY 21—Before Judge INGRAMS.**

CASE OF CAPT. SMITH.

The District Attorney announced that the Grand Jury, in relation to defendant having been engaged in the African slave-trade, had found a Bill of indictment against him for a violation of the laws of the United States, and it is now sent to, to be tried, to prove guilty. Mr. Brigham, the Clerk, then read the indictment, which charges defendant with having voluntarily served on board the Julia H. Wilson, engaged in transporting slaves, &c., from Africa to the United States in the Slave-Trade. Capt. S. pleaded guilty to the charge.

The District Attorney said this was the case in which defendant had been indicted and tried, and that he was not tried again, as he was engaged in said trade, but new trial granted.

(It is understood that the District Attorney will enter a nolle prosequi in relation to that indictment.) On motion of the District Attorney sentence was deferred for a few days.

INDICTMENT.

The Grand Jury found bills against Thomas Randal for an assault w/ a knife, based on the slip William "Tupper," at sea, on John Sedley; also against Henry W. O'Connell, counterfeiting quarter-dollars, and against John O'Donnell for counterfeiting one-pence.

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**UNITED STATES DISTRICT ATTORNEY'S OFFICE—MAY 21.**

CHARGE OF SMUGGLING.

Three Italian seamen, having about \$10 worth of shells, almonds, in boxes, in their possession, said to have been smuggled on shore from an Italian brig, were arrested by the Police on Sunday evening, and brought up yesterday morning to the United States Marshal's Office and committed.

**COURT OF GENERAL SESSIONS—MAY 21—Before Recorder Smith.**

THE CHEMICAL BANK FORGERS.

LINMAN was put on trial charged with forgery on the Chemical Bank, to the extent of \$13,300. The counsel for the accused moved for postponement until he could inquire into the character of one of the witnesses for the prosecution, who was a man of ill repute. The court said the case was duly overruled by the District Attorney, an adjournment was made to Tuesday morning.

**COURT CALENDAR—THIS DAY.**

**SUPERIOR COURT—May 21—No. 317, 317, 319, 344, 367, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 889, 890, 891,**